



08-17-05

AF &amp; JAW

PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

09/990,702

Filing Date

November 9, 2001

First Named Inventor

Keith W. Diveley et al.

Art Unit

3621

Examiner Name

James A. Reagan

Attorney Docket Number

20375-004010

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board  
of Appeals and Interferences  
☒ Appeal Communication to TC  
(Appeal Notice 1 page in triplicate)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify  
below):  
Return Postcard

- ☐ Certified Copy of Priority  
Document(s)  
☐ Reply to Missing Parts/ Incomplete  
Application  
☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit  
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Darin J. Gibby

Date

August 15, 2005

Reg. No.

38,464

**CERTIFICATE OF TRANSMISSION/MAILING**

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I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date \_\_\_\_\_ and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Connie Larson

Date

August 15, 2005

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

20375-004010

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on \_\_\_\_\_

Signature Connie LarsonTyped or printed name Connie LarsonIn re Application of Keith W. Diveley et al.Application Number 09/990,702

Filed Nov. 9, 2001

For **ELECTRONIC IDENTIFIER PAYMENT  
SYSTEM AND METHODS**Art Unit 3621Examiner James A.  
Reagan

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

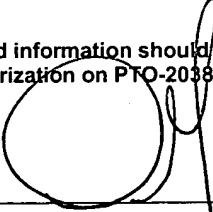
\$ 500

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☒ attorney or agent of record.  
Registration number 38,464
- ☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

  
\_\_\_\_\_  
Signature

Darin J. Gibby  
Typed or printed name

(303) 571-4000  
Telephone number

August 15, 2005  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of one form is submitted (in triplicate).

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